

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 05-4029-01-CR-C- NKL
	)	
DAVID ELBY SHAFER,	)	
	)	
Defendant.	)	

ORDER

Defendant David Elby Shafer (“Shafer”) is charged with conspiracy to distribute marijuana; conspiracy to commit money laundering; and, conspiracy to distribute cocaine. (Doc. 175, 1). On June 3, 2008, United States Magistrate Judge William A. Knox recommended that the Court enter an Order denying Shafer’s Motion to dismiss for lack of jurisdiction; denying his motion challenging the judges’ oath; denying his motion for an investigation; denying his motion for an evidentiary hearing on the matter of jurisdiction; denying motion for the medical records of his wife; denying his motion for a civil hearing; denying his motion for clarification as meaningless; denying motion for disclosure of conflicts-of-interest as moot; granting his motion for copies; and, granting his ex parte motion for service of process. The Magistrate Judge’s Report also recommended granting his motion for disclosure of information by the government, although Shafer’s stand-by counsel believes that Shafer is in possession of all information

required to be disclosed by the Government. [Doc. ## 263, 266, 267, 269, 270, 271, 277, 280]. *See* Report and Recommendation [Doc. # 287]. The parties were advised that they could file written exceptions to the recommendation within ten (10) days pursuant to 28 U.S.C. § 636(b)(1)(C). Shafer filed objections on June 12, 2008.

Having conducted an independent review of the record, the Court concludes that the recommendation of the Magistrate Judge is correct and should be adopted.

Shafer's objections to Judge Knox's most recent Report and Recommendation focus primarily on the issue of jurisdiction. Title 18 U.S.C. § 3231 provides, in relevant part, that "[t]he district courts of the United States shall have original jurisdiction, . . . of all offenses against the laws of the United States." Shafer was arrested while traveling from Missouri to Texas and the indictment sufficiently alleges that Shafer participated in the alleged conspiracy in Boone County, Missouri, and traveled between Missouri and Texas in order to distribute marijuana in violation of 21 U.S.C. § 841 and 18 U.S.C. § 1951. In the indictment against Shafer, each charge is a violation of the laws of the United States, thereby conferring jurisdiction to this Court. Plaintiff has submitted nothing to support his allegations that this Court lacks jurisdiction.

The Court has undertaken a *de novo* review of Shafer's remaining motions and concludes that they include similar, baseless allegations and repetitious requests.

Accordingly, it is

ORDERED that Judge Knox's Report and Recommendation [Doc. # 287], is ADOPTED.

s/ NANETTE K. LAUGHREY  
NANETTE K. LAUGHREY  
United States District Judge

Dated: June 13, 2008  
Jefferson City, Missouri